

## CITY OF DENTON CITY COUNCIL MINUTES

April 12, 2011

After determining that a quorum was present, the City Council convened in a Work Session on Tuesday, April 12, 2011 at 4:00 p.m. in the Council Work Session Room at City Hall.

**PRESENT:** Mayor Burroughs, Mayor Pro Tem Kamp, Council Member Engelbrecht, Council Member Gregory, Council Member Heggins, Council Member King, and Council Member Watts.

**ABSENT:** None.

1. Receive a report, hold a discussion, and provide staff with direction related to the Request for Proposals (RFP) being prepared for an update to the City of Denton's Comprehensive Plan (the Denton Plan).

Mark Cunningham, Director of Planning and Development, stated that the City Council had directed staff to initiate the process of updating the Comprehensive Plan. Cunningham stated that the Planning staff had conducted several scoping meetings to seek direction of how to design the RFP for the consultant and help guide and lead staff through the process. He stated that the elements of the current Denton Plan included – Public Involvement; Land; Design; Environment; Community Development; Infrastructure; and Implementation.

He stated that as staff looked at these elements and how things had developed throughout the city since the plan was put in place, where we were now, and where we predicted we would be, these elements might change.

He stated that staff had presented the Citywide Strategic Plan to Council and that it included some key focus areas that would be incorporated into the elements of the comprehensive plan which would also be included – Public Infrastructure; Sustainable Economic Development & Environmental Stewardship; Safe, Livable and Family Friendly Community; and Partnerships and Regional Leadership.

Cunningham stated that the following elements were being proposed for the RFP: Vibrant Communities; Community Services; Public Utilities and Infrastructure; Environmental Management and Sustainability; Economic Vitality; Regional Influences; Growth Management; and Implementation. There were some topics in each of these areas that they would like to discuss also.

They looked at each element of the plan individually. On Vibrant Communities – Housing Variety; Urban Design; Mobility / Transportation [DCTA (train & buses), Rights-of-way, Bike Lanes]; Rural and Suburban Communities; Historic and Cultural Resources; Scenic Resources; [Entrance ways and Major corridor development]; and Community Development [Community Development Block Grants, Consolidation plan, Neighborhood Planning/Revitalization].

On Community Services – Public Education [DISD, UNT, TWU]; Public Safety and Health [Fire, Police, EMS]; Social Services; Libraries; and Parks and Recreation (floodplains as amenities or passive parks).

On Public Utilities and Infrastructure – Roads; Drainage; Water/Wastewater; DME; Solid Waste & Recycling; Transportation and Operations; Examine Public Utilities Growth Philosophy; Strengthen connection between Mobility Plan and Comprehensive Plan; Funding structure for development, and Gas Wells/Pipelines.

On Environmental Management and Sustainability – Sustainability; Ecosystem Management; Air Quality; Water Resources; Land Resources; and Mineral Resources [Oil and Natural Gas].

On Economic Vitality – Land-Use Balance [ratios of housing types, jobs: housing]; Commercial Development [Redevelopment/revitalization (target specific industries); and In-fill development]; Industrial Development; Waterfront Assets [Lake Ray Roberts]; Airport; and Downtown Development / Redevelopment [DTIP].

On Regional Influences – Denton County; Upper Trinity Water District; 35W Coalition; TxDOT (Outer Loop, I35 expansion); Northwestern Areas [Sanger, Krum, Ponder]; Eastern Areas [Cross Roads, Krugerville, US 380]; Northern Areas; Southern Areas; and Vision North Texas.

Council Member Engelbrecht suggested public discussion with people in the ETJ.

On Growth Management – Demographic forecast; Identify potential High Growth Area(s); Proactive versus reactive planning; and Smart Growth Principles [Provide a variety of transportation choices; Strengthen and direct development towards existing communities; Preserve open space, farmland, natural beauty and critical environmental areas; Mix land uses; Make development decisions predictable, fair and cost effective; Foster distinctive, attractive communities with a strong sense of place; Encourage community and stakeholder collaboration; Create walkable neighborhoods; Create a range of housing opportunities and choices; and Take advantage of compact building design].

On Implementation – Enforcement; Benchmarks & success indicators; Schedule and funding source [TIF, Examine Cost/Benefit Analysis models to determine if there is a model that can be incorporated into the Plan; Priority-based implementation based on costs to City]; DDC update; Mobility Plan update; and Park Plan update, etc.

Council Member Gregory requested a copy of the PowerPoint presentation.

Cunningham reviewed the RFP timelines. He stated that staff had held two internal scoping meetings and would continue with the RFP process. Bidding would close on June 6. On June 7, the City Council would receive an update and by then, they should have a cost. Regardless of the cost, he stated that the City would do all it could from the City's perspective to minimize the cost by doing as much in-kind contribution by using City staff in conjunction with the consultant to bring that cost down. After June 7, they would continue with the RFP process. On June 19, staff would bring another update to the Council on how things were progressing. Cunningham stated that this was a long process and would probably take about a year.

Cunningham stated that the Comp Plan process included extensive data collection and public involvement, everything to make sure that our plan was based on accurate current data, where we were, where we wanted to go, and how we filled those gaps.

Cunningham stated there would be a constant review relationship between the consultant and staff. As staff received the information for the elements, that information would be vetted out to established boards, commissions, and committees – Committee on the Environment, Planning and Zoning Commission, Mobility Committee, Public Utilities Board, Economic Development Partnership Board, and any other board, commission, or committee that had a concept of the vision of the city, the history of the city, so that we can keep that continuity moving forward. Once that was done, the final product would be brought to Council for approval.

Council Member Watts asked if there was a way to identify in the current plan some of those major goals and strategies and how we had met those goals, how we had fallen short, and which ones were important and which were not.

Cunningham stated that would be part of the data collection process.

Council Member Gregory stated that he would like to see some measurable goals.

Mayor Burroughs stated that this was part of the process but asked if the city wanted to be perceived as a customer friendly community. A way to measure that would be by seeking customer feedback.

2. Receive a report, hold a discussion, and give staff direction regarding a policy to establish guidelines to evaluate and process requests for City sponsorship of special events and programs.

Emerson Vorel, Director of Parks and Recreation Department, stated that currently the City had no policy or guidelines addressing requests for sponsorship of special events. He stated that the Council had the draft policy and the draft application. He stated that they left the policy fairly broad and brief and included more of the details in the application.

Vorel stated that staff's recommendation was that the Hotel Occupancy Tax (HOT) Fund Committee would handle the initial evaluation of any application that came in for sponsorship. The HOT Fund Committee had direct knowledge of what events currently received funding from the City. If this process was selected, the charge of the HOT Fund Committee would have to be altered to reflect this new task. Staff also recommended that the Committee accept applications in January and February. The Hot Fund Committee could make recommendations to the Council and those discussions could be part of the annual budget process.

Vorel stated that there would be some folks that would come in out of the cycle and want to be included in this discussion. Staff's recommendation was to process those, work those into the schedule whenever they appeared, give them an opportunity (at least the first year to come in outside of the cycle with the understanding that the second year (if it was a multi-year event) they would be expected to be part of the standard cycle process.

The HOT Fund Committee would make recommendations to Council and Council would make the final decision.

The Parks & Recreations Director would have the ability to approve use of some of the rooms in some of the PARD buildings. They had some long-standing agreements with some small groups that came in once a month and used a room in a facility for a certain length of time.

Vorel stated that Denton Municipal Electric (DME) sponsorships were separate from this policy.

Vorel reviewed the application. The maximum reduction a group could request on a standard facility usage fee was 50% of the standard rental cost. The group would still be responsible for building attendant fees, cleaning fees associated with a building rental, and any other fees established by ordinance. The cost of any damages would be the responsibility of the organizers.

Vorel stated that the policy did not distinguish between a non-profit and a for-profit event. Staff had discussed limiting sponsorship to groups based in Denton and also including a timed phase-out of sponsorship over a multi-year process. If any organization had an outstanding balance from the prior year, they would not be considered for funding for the year. These issues could be determined and recommended to the City Council by the HOT Fund Committee as a result of committee and staff deliberations on the matter.

3. Receive a report, hold a discussion and give staff direction regarding the Council's objective of developing community leadership through boards and commissions.

City Manager, George Campbell, stated he would lay out the issue and hoped that Council would have some discussion to determine what they would like to do to achieve some objectives they would like to occur with boards and commissions. At the 2009 retreat, Council had determined they wanted to maintain a continuity of vision for Denton's future. Specifically they wanted to grow elected and appointed leaders who would continue this vision. The action that the City Council had established at the retreat was that Council wanted to use the board and commission appointments more intentionally as a way to engage future leaders.

Campbell stated that the Council had discussed the current process where each Council Member nominated a person to serve on each board or commission. Those nominations were then forwarded to the City Council and the nominations presented at a City Council meeting and were acted on at that time. The Council had indicated that they wanted to have a work session ahead of those appointments and have some group discussion about those appointments rather than just have individual members of the council making nominations and there being a sense that those were really automatic appointments.

The Council had indicated they wanted to be able to identify various groups that had interests in the community that might need more representation on boards and commissions. Council had indicated they wanted to ensure that the appointments they made to boards and commissions reflected the direction or philosophy that the City Council had at that time. They needed to create the continuity but also needed the boards and commissions members to reflect the philosophy of the City Council. Campbell stated that his experience had been over the years that that generally would lag the City Council because as Council Members changed it took time for boards and commissions members to serve out their term limits or to be replaced by Council Members that might have a different philosophy of the way the City should be governed.

Campbell stated there were a couple of options Council could discuss to determine what they wanted to achieve with the idea from the 2009 retreat. They could leave the process as it was or modify the process to ensure greater participation by the entire Council as the boards and commissions appointments were being made. For example, they could establish a process, for instance, where a committee of the City Council, such as the CAPR Committee, could be the body that accepted applications from each Council Member. Each Council Member could make more than one nomination for a board or commission, but that committee could then collectively look at the group of nominees and come back to the City Council with a recommendation that would consider all the criteria that they had established.

At the 2009 retreat, Council had talked about the need to be sure that those appointees represented all of the diverse groups and interests in the community such as including ethnic and gender diversity on the boards or commissions. The committee could take those nominations and weigh the criteria and come up with a group of people to nominate for any board or commission rather than each Council Member doing that on their own.

Council had an advantage if they came to the conclusion that somebody was not pursuing the City's general overall philosophy in that it was probably a little bit more graceful for the whole Council to be able to say we looked at the whole makeup of the committee and this was the makeup that we think would best serve our needs at this point rather than individual Council Members being responsible for saying we would like to replace somebody on a board or commission.

Mayor Burroughs stated that sometimes when you become a Council Member you tend to inherit nominations and it was hard to do anything about it.

Council Member Engelbrecht stated that even if the method was changed, it would be problematic to appoint someone and then two years later they were not re-appointed.

Council Member Gregory stated that when he nominated someone, he felt a certain responsibility for the person he nominated. If their voting was consistently in a direction that was not anywhere close to his point of view or the Council's point of view, he felt he needed to be aware of that and take responsibility for that.

Mayor Burroughs stated that the Council should go through the nominations at a work session, where the entire Council could go through them as a group that way they would not risk possible domination by a small group.

Council Member Watts stated that the Council needed to have good conversation, honest candor conversation regarding the nominees. He stated it was their duty as a Council Member to be somewhat responsible for the people they had nominated and hoped that other Council Members would be forthright either with their experiences or their observations in that regard.

Several Council Members suggested receiving a quarterly or semi-annual report from the chair of each board and commission on whether their committee was performing well and any other input they thought Council needed to have. Council Members also stressed the importance of training for board and commission members.

General consensus of the Council was that they should be provided Council Committee reports once a year. The chair of each board and commission should come to a Council meeting once a year and give a short report on that board or commission. Some kind of orientation should be established for board and commission members.

General consensus of the Council was that the board and commission appointment process should start with a work session where Council brings nominations for consideration and there would be discussion regarding these nominations before the list was finalized for approval.

Following the completion of the work session, the Council went into Closed Session at 6:10 p.m.

1. Closed Meeting:

A. Consultation with Attorneys - Under Texas Government Code, Section 551.071.

1. Consultation, discussion, deliberation, and receipt of information from the City's attorneys regarding potential litigation with Denton County Electric Cooperative, Inc. d/b/a CoServ Electric and CoServ Gas, Ltd. relating to disputes concerning franchise issues, where public discussion of these legal matters would clearly conflict with the duty of the City's attorneys to the City of Denton and the Denton City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

With no further business, the meeting was adjourned at 6:40 p.m.

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MARK A. BURROUGHS  
MAYOR  
CITY OF DENTON, TEXAS

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JANE RICHARDSON  
ASST. CITY SECRETARY  
CITY OF DENTON, TEXAS